

REMARKS

Claims 1-4 and 7-32 are pending in the application.

Claims 3 and 8 have been amended. Support for the amendment to claim 3 can be found on page 12, lines 25 to 27 of Applicants' specification.

Claims 8 and 11 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated, or in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over the "admitted" prior art (Specification, pages 1 and 2).

Claim 8 has been amended to mirror the language of claim 1, which has been allowed. Therefore, Applicants submit that claim 8 would not be anticipated or obvious over the "admitted" prior art for the same reasons the Examiner has set forth that claim 1 is not anticipated or obvious over the prior art (page 8 of the Office Action). In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 3, 4, and 7(3) have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over any one of Kusano et al., U.S. Patent No. 5,466,424 ("Kusano"), Yoshikawa et al., U.S. Patent No. 6,046,403 ("Yoshikawa"), and Ryan, U.S. Patent No. 3,030,290, in view of Kreil et al., U.S. Patent No. 4,594,262 ("Kreil").

Claims 3, 4, 7(3), 8 and 11 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the "admitted" prior art in view of any one of Kusano, Yoshikawa, or Ryan and Kreil.

Claim 9 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the “admitted” prior art and any one of Kusano, Yoshikawa, or Ryan, and Kreil, further in view of Krause et al, U.S. Patent No. 5,958,532 (“Krause”).

Claim 10 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the “admitted” prior art, any one of Kusano, Yoshikawa, or Ryan, and Kreil, further in view of Kataoka.

Kusano teaches that the reactant gases used for surface treatment contain at least one of halogen, oxygen, and nitrogen atoms (col. 4, lines 18-21). Yoshikawa teaches corona discharging treatment in a nitrogen atmosphere. Ryan teaches the atmosphere present during the corona discharge may be any gas in which a corona discharge can be produced, for example, air, oxygen, nitrogen, hydrogen and ammonia. Ryan further teaches that using an atmosphere of hydrogen is especially advantageous (col. 2, lines 18-22).

Applicants submit that none of Kusano, Yoshikawa, or Ryan disclose corona discharge treatment in a nitrogen gas atmosphere while controlling the concentration of an oxygen gas within a range of 4 to 150 ppm, as acknowledged by the Examiner on page 4 of the Office Action. Further, Ryan teaches away from using an atmosphere other than a hydrogen atmosphere.

The Examiner asserts that one of ordinary skill in the art at the time of the invention was made would have readily appreciated that the inert gas atmosphere taught by any one of Kusano, Yoshikawa, or Ryan contain an oxygen concentration of 100 ppm, and preferably 10 to 40 ppm in view of Kreil. However, while Kusano, Yoshikawa, and Ryan teach corona discharge

treatment in a nitrogen gas atmosphere, Applicants submit that the references do not mention a gas atmosphere containing nitrogen and a controlled amount of oxygen. Further, Applicants submit that Kusano, Yoshikawa, and Ryan do not disclose or suggest corona discharge treatment in an “inert gas atmosphere,” which is the gas atmosphere disclosed in Kreil. Additionally, as stated in the 1.116 Amendment submitted on August 4, 2004, Kreil is directed to treatment of a polyester film by electron beam irradiation. Therefore, Applicants submit that one of ordinary skill in the art at the time the invention was made would not have been motivated to combine Kusano, Yoshikawa, or Ryan with the teachings of Kreil.

In view of the above, Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness. Accordingly, Applicants’ claimed “treatment in a nitrogen gas atmosphere while controlling a concentration of an oxygen gas within a range of 4 to 150 ppm” would not be obvious in view of Kusano, Yoshikawa, or Ryan, further in view of Kreil.

Additionally, as previously argued in the 1.116 Amendment submitted on August 4, 2004, Kataoka is directed to a solar cell module having a surface film with a specific oxygen permeability, and is not directed to a surface treating method of a fluorine resin or a method of laminating the crosslinking elastic adhesive body thereto, as in Applicants’ claimed invention. Thus, Applicants submit that one of ordinary skill in the art would not be motivated to combine the teachings of Kusano, Yoshikawa, or Ryan, Kreil and Kataoka. Further, though it may be known to cross-link resins such as EVA with organic peroxide in solar cell modules, it does not necessarily follow that one of ordinary skill in the art would crosslink a fluorine resin, which has been treated according to one of the methods (1) to (3), as in Claim 8. Therefore,

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Amendment under 37 C.F.R. § 1.111

Applicants submit that the claimed "treatment in a nitrogen gas atmosphere while controlling a concentration of an oxygen gas within a range of 4 to 100 ppm" (or 4 to 150 ppm as in claim 8) would not be obvious in view of Kusano, Yoshikawa, or Ryan, Kreil, further in view of Kataoka.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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